



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor  
Scott Hassett, Secretary

101 S. Webster St.  
Box 7921  
Madison, Wisconsin 53707-7921  
Telephone 608-266-2621  
FAX 608-267-3579  
TTY 608-267-6897

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To all holders of Collection and Transportation Licenses

As in the past, I am writing to remind all holders of waste collection and transportation (C&T) licenses of important responsibilities regarding recycling in Wisconsin.

**1. New in 2005 –Hauler Notification:** Recent revisions to NR 502.06 require licensed haulers for the collection and transportation of municipal solid wastes to notify their clients of the need to comply with recycling requirements under state and local laws. We anticipate the rule revisions will be effective at the end of May or June 2005. We are drafting guidance on this topic, which will be posted on the DNR Waste Management publications website by July 1, 2005 [<http://dnr.wi.gov/org/aw/wm/publications/#recycling> - look under Recycling General Information]. Haulers affected by the rule revisions are invited to review draft guidance, on the flip side of this letter, and to send their comments to Cynthia Moore. Contact information for Cynthia is provided at the end of this letter.

**2. Report Recyclables Weights to Responsible Units:** Municipalities that have organized into Responsible Units (RUs) for recycling are required to report annually to DNR on the tonnage of recyclables collected from residents in their area. RUs that rely on private haulers need the residential tonnage information from their haulers. You can make this process efficient by keeping good records and making them available in a timely fashion when the RU representative calls asking for the numbers. Note that NR 502.06(4)(g) requires licensed haulers to keep records showing that recyclables have been properly transferred to an appropriate end-user. In addition, if your company also operates a materials recovery facility (MRF), Wisconsin law requires all self-certified MRFs to provide RUs the information needed to comply with DNR reporting requirements. Note that this requirement has been revised, as part of the recycling rule revisions, to clarify that MRFs must provide this information to RUs with whom they contract.

**3. Maintain Separated Recyclables in Marketable Condition:** Each year, a few haulers are fined for mixing separated recyclables with regular trash and disposing of them in Wisconsin landfills or taking them out-of-state for disposal. Note that NR 502.06(4)(e) and (f) requires haulers to maintain separated recyclables in clean condition and to comply with the prohibition on land disposal of recyclables. This is a condition for keeping your license.

**4. Please Help Your Clients Obey the Law:** Each year we hear anecdotes that some haulers are attempting to gain a marketing edge by suggesting to potential clients that they don't have to recycle. All Wisconsin residents and businesses are required to recycle by local ordinances, consistent with the state's waste management regulations. The NR 502.06 revisions clearly state that haulers must provide accurate information to their residential and business clients about recycling requirements under state and local laws. Please help your clients comply with the law.

Recycling is a popular and effective program in Wisconsin, worth everyone's support. It has a net positive environmental impact, contributes to local job creation, and enjoys the support of over 90% of our residents. I want to thank you for your past cooperation and ask for your continued support of the recycling program. If you have questions about this, or any recycling issue, please feel free to contact your local recycling coordinator or contact Cynthia Moore, Recycling Team Leader, at (608) 267-7550, by e-mail at [cynthia.moore@dnr.state.wi.us](mailto:cynthia.moore@dnr.state.wi.us) or in writing at Cynthia Moore WA/3, WDNR, 101 S Webster, Madison, WI 53707.

Sincerely,

  
Suzanne Bangert, Director  
Bureau of Waste Management

## DRAFT for Discussion Purposes!!

Recent revisions to NR 502.06 will require licensed haulers for the collection and transportation of municipal solid wastes to notify their clients of the need to comply with recycling requirements consistent with state law and local ordinance. The Department anticipates the rule revisions will be effective at the end of May or June 2005. The Department is drafting guidance on the notification requirements. We have included this draft guidance to

- Provide advance notification of the notification requirements and guidance on how the requirements can be met.
- Provide hauler an opportunity to comment on to the proposed guidance. Haulers are invited to review draft guidance and to send their comments to Cynthia Moore by e-mail at [cynthia.moore@dnr.state.wi.us](mailto:cynthia.moore@dnr.state.wi.us) or in writing at Cynthia Moore WA/3, WDNR, 101 S Webster, Madison, WI 53707.

### Notification of Recycling Requirements for Waste Haulers Under s. NR 502.06



#### Purpose and Background

Effective in Spring 2005, s. NR 502.06, Wis. Adm Code requires licensed waste haulers who collect and transport municipal solid wastes to notify their clients of the need to comply with state and local recycling laws. This requirement is intended to help ensure that all waste generators and haulers are aware that Wisconsin's recycling laws apply equally to all residents and businesses in Wisconsin, including those whose waste and recyclables are being hauled out-of-state.

NR 502.06(4)(eg) Services for the collection and transportation of municipal solid wastes shall notify their clients of the need to comply with state and local laws requiring recycling. In this paragraph, "client" means the contracting entity or the entity that arranges for service provision in the case where there is no formal contract.

1. Notification for all clients except households in single family and 2 to 4 unit dwellings shall be written, and provided at the time of entering into a contract or otherwise arranging for collection and transportation services and annually thereafter.
2. Notification for all clients in single family and 2 to 4 unit dwellings shall be provided either at the time a client first arranges for collection and transportation services or in writing within 45 days of that time, and by written notice annually thereafter.
3. The service provider shall maintain documentation of this notification for the preceding calendar year.

#### How to Notify Your Clients

Notification can be made using a variety of methods:

- Included with marketing materials or service proposals to potential clients
- Included with language in service agreements or contracts
- As a separate direct mailing to clients/customers
- Included with a monthly bill

Below is an example of language that may be used by a service provider to comply with this new notification requirement.

**Remember, state and local laws require everyone in Wisconsin to recycle. Call your local recycling office for more information or visit [www.dnr.state.wi.us/org/aw/wm/publications/recycle/LawBrochure.pdf](http://www.dnr.state.wi.us/org/aw/wm/publications/recycle/LawBrochure.pdf) to learn about recycling requirements for newspaper, magazines, cardboard, food and beverage containers, tires, yard waste, appliances, motor oil, lead acid batteries and paper from offices.**

#### How to Document Client Notification

Documentation may vary depending on the system used by the service providers to track service provision to clients. At a minimum, documentation should include a copy of the notification statement, a brief statement on how clients are notified upon start of service and annually thereafter, and a system to track when clients are notified. Tracking could consist of a column recording the notification date in an existing client database or spreadsheet.